

REMARKS

In the Office Action dated May 11, 2005, claims 1-7, 10-17 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sansone et al in view of Abumehdi et al. Claims 8, 9, 18 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sansone et al and Abumehdi et al, further in view of Freestone et al.

Applicants note that at page 3 of the Office Action there is a statement that "a new 112 rejection has been applied to claim 1 to address a conflict between original language and newly added language," but no rejection under 35 U.S.C. §112 was made elsewhere in the Office Action.

Applicants note with appreciation the interview courteously afforded the undersigned counsel for the Applicants on June 20, 2005 wherein the rejections under 35 U.S.C. §103(a) were discussed, and wherein the above claim amendments were proposed and discussed.

At the interview, the Examiner stated he does not believe that the term "memory location occupancy" necessarily is limited, as Applicants have argued, to mean a status report identifying whether memory locations are, or are not, available to be filled (occupied) with service data in the future. The Examiner stated he believes he is justified in interpreting this term as broadly encompassing any information regarding the contents of a memory, and therefore the Examiner stated the rejection based on Sansone et al and Abumehdi et al was justified.

At the interview, it was proposed to amend the independent claims as set forth above to make Applicants' intended meaning of "memory location occupancy" more explicit in the claim language. As noted above, it is Applicants' intent that the

status report will enable the data center to formulate recommendations for memory locations at which service data, to be downloaded in the future, can be stored in the service device. This avoids the data center from attempting to download service data into a memory location which is not actually available in the service device which could delay, or even prevent, the actual download of such data.

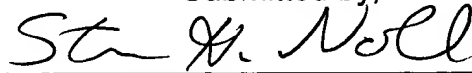
Support for these amendments to the claims is present in the specification as originally filed, at least in the description of the example beginning at the top of page 21, and in the Table example provided at page 24.

It was agreed at the interview that these changes in the claims would overcome the current rejection based on Sansone et al and Abumehdi et al, however, the Examiner stated this Amendment would raise a new issue requiring further searching, and therefore could not be entered after the final rejection. This Amendment is therefore accompanied by an RCE.

In view of the agreements reached at the interview, Applicants submit that the amended claims would not have been obvious to a person of ordinary skill in the relevant technology based on the teachings of Sansone et al and Abumehdi et al. Moreover, for the reasons discussed at the interview, even if the Sansone et al/ Abumehdi et al were further modified in accordance with the teachings of Freestone et al, the subject matter of claims 8, 9, 18 and 19 still would not result.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

Submitted by,



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SCHIFF, HARDIN LLP
CUSTOMER NO. 26574
Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
Telephone: 312/258-5790
Attorneys for Applicants.

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